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VIA CM-ECF

Hon. Zahid N. Quraishi, U.S.D.J.
United States District Court, District of New Jersey
Clarkson S. Fisher Building & U.S. Courthouse
402 East State Street
Trenton, NJ 08608

Re: Children's Health Defense, Inc. et al. v. Rutgers, The State University of New Jersey, et al.
Civ. Case No. 21-15333 (United States District Court, District of New Jersey)

Dear Judge Quraishi:

The decision in *Goe v. Zucker*, __ F.4th __, No. 21-0537-cv, 2022 WL 3007919 (2d Cir. July 29, 2022) brought to Your Honor's attention by Defendants is inapposite. (Dkt. 49).

The case at bar, unlike the case in *Goe v. Zucker*, does not challenge the constitutionality of any state laws or regulations concerning vaccination. On the contrary, Plaintiffs allege the Rutgers Defendants deviated from the statutory and regulatory framework governing vaccination, especially the emergency-use authorization statute, 21 U.S.C. § 360bbb, and acted without legal (moral or scientific) authority to deprive students the free exercise of their rights to informed consent and to refuse unwanted medical treatment by coercing them to take experimental COVID vaccines in which Rutgers has a financial stake while it knew based on the results of the clinical studies available at the time that there was no evidence the vaccines they mandated prevented infection or transmission. *See* First Amended Complaint (FAC) at p. 1, and ¶¶ 1, 4, 5, 8, 96-97, 124-138, 140-141, 147, 148, 158-188, 198-199, 291). The fact these vaccines do not work and pose serious risks has become clearer with the passage of time. Plaintiffs deserve their day in court to prove that Defendants' claim of protecting the community is mere pretext.

As alleged, Rutgers knew there was no evidence COVID vaccines prevented infection or transmission because the vaccine manufacturers and FDA said so (*see* FAC at p. 1 and ¶ 140), and since Rutgers was involved in the clinical trials (FAC ¶¶ 8, 128-138) Rutgers knew the limitations of the clinical research. This case is nothing like *Goe v. Zucker*, and its holdings should have no weight here.

Plaintiffs respectfully renew their request for oral argument (Dkt. 44), or the opportunity to brief this or any other issue to aid the Court. Thank you.

Respectfully submitted,

/s/ Julio C. Gomez
Julio C. Gomez